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7

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 THOMAS FLOORS, INC., a Nevada
11 corporation,

12 Plaintiff,

13 vs.

14 US BUILDERS COMPANY, an unknown
entity; UNITED STATES OF AMERICA; US
15 DEPARTMENT OF DEFENSE; NELLIS
AIRFORCE BASE, and BOE BONDING
16 COMPANIES I through V, GOV ENTITIES
VI through X

17 Defendants.

CASE NO.: 2:10-cv-02045-PMP-PAL

STIPULATION TO DISMISS

18 COMES NOW, Plaintiff, Thomas Floors, Inc., by and through its attorneys of record,
19 Robert E. Werbicky, Esq. and Martina Shindelus, Esq. of the law firm of Peel Brimley LLP and
20 Defendants, United States of America; US Department of Defense; Nellis AirForce Base,
21 (hereinafter collectively referred to as the "Federal Defendants"), by and through their attorneys
22 of record, Daniel G. Bogden, Esq. and Rimantas A. Rukstele, Esq. from the United States
23 Attorney's office (collectively referred to as the "Parties") hereby stipulate and agree as follows:
24

25 1. The Parties hereby stipulate and agree to voluntarily dismiss the entire matter
26 identified as Case No. 2:10-cv-02045.
27

28 2. As such, the Parties respectfully request the Honorable Court to dismiss this matter

1 with each Party to bear its own attorneys fees, expert fees and costs;

2 3. The remaining Defendant, US Builders Company, is yet to file an Answer and was
3 therefore not included on this Stipulation. However, US Builders Company will be duly notified
4 of the dismissal at its last known address once approved and/or issued by the Court.
5

6 4. The Parties would like to inform this Honorable Court that there is a pending
7 Motion to Dismiss previously filed by the Federal Defendants. Therefore, the Parties hereby agree
8 to vacate said Motion and any applicable deadlines or hearings associated with the same.

9 5. The Parties are unaware of any other pending matters before this Honorable Court.


10 6. By signing below, the attorneys for the above referenced Parties represent and
11 warrant that they have obtained their respective client's authorization to sign this Stipulation and
12 to bind their client to the terms and conditions contained herein.
13

14 **IT IS SO STIPULATED.**

15 Respectfully submitted by:

16 Dated this 8th day of March, 2011.

17 **PEEL BRIMLEY LLP**

18 
19
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25 Attorneys for Plaintiff

Dated this 8th day of March, 2011.

**UNITED STATES ATTORNEY'S
OFFICE**

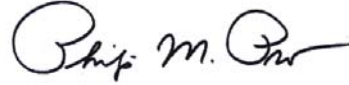
/s/ Ray Rukstele

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ORDER

IT IS SO ORDERED that the above-referenced matter shall be dismissed and all applicable dates and deadlines be vacated.

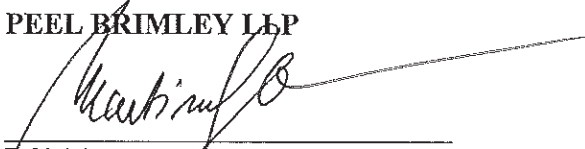
Dated this _ 9th day of March, 2011.



US DISTRICT COURT JUDGE

Respectfully Submitted by:

PEEL BRIMLEY LLP



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